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## Record of Interview

The 2018 Assisting-USA Business Secret Case Number 1, an interview is being conducted in a temporary investigation court at the Taichung Investigative Office on December 19, 2018, 2:29PM, with the following officials:

Prosecutor: CHEN Liwei

Clerk: CHEN Yiqing

The following individual is present:

Summon to court with inquiry of name, age, address and National ID Number.

Witness answers:

QUE Liangwu

Male

Age: 51

National ID Number:

Permanente address:

Contact Telephone:

Question: The prosecutor summoned you to testify at the Taichung Investigative Office, an investigator conducted the first part of your interview, and a prosecutor will now conduct a follow-up interview with you, do you understand?

Answer: Yes.

The prosecutor states the Code of Criminal Procedure, Provision 180 and 181:

1. The witness can refuse to testify if one of the following conditions apply.
  - (1) Any current or former spouse(s), direct blood relatives, indirect blood relatives, and in-laws.
  - (2) Anyone bond by engagement.
  - (3) Any current or former legal representative(s).
2. The witness can refuse to give a statement if he is concerned that by doing so, any individual with one of the above conditions or self can be prosecuted or punished with criminal charges.

Question: Are you willing to testify?

Answer: Yes.

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The prosecutor states the witness's obligations and punishment for perjury, and asks the witness to read aloud and sign at the end of the statement.

Question: Did you read the notes from the first interview taken by the investigator?

Answer: Yes.

Question: Was the content of the pen recorded notes truthful?

Answer: Yes.

Question: When did you become a financial consultant at the Fujian Jinhua Company?

Answer: I started in September of this year. I was a financial consultant at UMC from June, 2017, but it is a year to year term. I took about three months off when my one year term ended this June. In September, I called CHEN Zhengkun and told him I would be able to work again; I asked if he can refer me a job, which was when CHEN Zhengkun said I can work for the Jinhua Company.

Question: Did you go through an interview process before working at Jinhua?

Answer: No. As a financial consultant at UMC, I knew CHEN Zhengkun was UMC's Deputy General Manager and Jinhua Company's General Manager, so when he said I'm able to work for the Jinhua Company, to me that means a go.

Question: Where was your work location after becoming a Jinhua Company financial consultant?

Answer: Inside UMC's plant in Tainan Science Park where there is an office, my office is on the second floor. As far as I know, CHEN Zhengkun and I were the only ones from Jinhua Company working on the second floor office. There is a conference room on the first floor setup especially for Jinhua employees. I have never worked at the Jinhua Company site in Mainland China, but I have been there on business trip(s). As for my salary, it is deposited by the Jinhua Company to my account in Mainland China.

Question: What is the nature of your work at the Jinhua Company?

Answer: The Jinhua Company would sent its financial statements and budget materials to me through email. After reviewing the materials, I would call CHEN Junsheng and CHEN Lixuan of Jinhua's Accounting/Financial Department to confirm whether the numbers in the statements are logical.

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Question: Do you know whether a *DRAM* tech-transfer contract was signed by UMC and the Jinhua Company?

Answer: I know there is a contract between the two companies, but I have not seen the details of this contract. I just know the contract contains an amount of 400 million USD that Jinhua Company needs to pay UMC. I found this out through Jinhua Company's budget materials sent via email.

Question: Do you know who negotiated the *DRAM* tech-transfer contract between UMC and the Jinhua Company?

Answer: I'm not clear about it.

Question: Do you know how UMC goes about transferring the *DRAM* technology it has researched and developed to the Jinhua Company?

Answer: I'm not clear about it.

Question: About the 400 million USD you had mentioned, how much did Jinhua Company actually paid UMC?

Answer: I know payment of the 400 million USD is done separately for each of the two generations of *DRAM* technology, meaning 200 million USD is paid for the first generation of the developed *DRAM*, and the remaining 200 million USD is paid for the next [second] generation of the *DRAM* technology in accordance to what is specified in the contract; installment payments are made at each completed phase of the technology. As far as I know, development for the first generation of *DRAM* technology is still in progress, so as to how much Jinhua Company has actually paid UMC, I'm not clear about it.

Question: During development, if a certain phase of the technology is complete, does UMC turnaround to make an immediate transfer to the Jinhua Company?

Answer: I'm not sure about that.

Question: On the *DRAM* technology, do you know if UMC conducted its own R&D, or did it come from another company?

Answer: [I] suppose it is self-research and developed.

Question: Did CHEN Zhengkun ever spoke to you about how UMC transfers the technology to the Jinhua Company?

Answer: The only thing he mentioned was cooperation on the *DRAM* technology, but I'm not clear about the details, because I'm not an engineer.

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Question: You mentioned UMC's *DRAM* technology was self-researched/developed, how did you come up with that conclusion?

Answer: Because when I was working as a UMC financial consultant, I saw many technical engineers working at the company, which is why I think their *DRAM* is self-researched/developed.

Question: As far as you know in regards to the first generation of the *DRAM* product, do you know which phase Jinhua Company is at this point?

Answer: As far as I know, the plant is still being built, and machines are being installed, so it is unlikely for production to take place at this point.

Question: From what you have stated earlier, are you able to recognize revenue generated from products on the Jinhua Company financial statements?

Answer: Nothing is registered under sales revenue.

Question: Did Jinhua Company submit an application for a *DRAM* patent in the USA?

Answer: I am not clear about that.

Question: In what you have seen on Jinhua Company's financial statements, what is the company's source of income?

Answer: Since I became a Jinhua financial consultant, this company has not had any income to date.

Question: As far as you know, once UMC develops the *DRAM* technology, does Jinhua take over ownership of the technology? Or is it shared by both [UMC and Jinhua] Companies?

Answer: I'm not clear about it, I don't know how it was agreed upon on the contract.

Question: As far as you know, once UMC completes and transfers the second generation technology product to UMC [sic] as specified in the contract, does it mean [UMC] will have nothing more to do with the technology? Or is UMC able to collect a royalty on the technology?

Answer: I'm not clear about it.

Question: Do you know when the Jinhua Company expects to achieve its goal of *DRAM* mass production?

Answer: I don't quite understand what the prosecutor means by mass production. The anticipated time frame and relative quantity of *DRAM* wafer production can be found in Jinhua Company's budget materials.

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Question: As far as your impression is concerned, what kind of target did the Jinhua Company set in terms of quantity for initial phase wafer production?

Answer: According to Jinhua Company's budget, the target is set for 20,000 wafers by the latter half of next year.

Question: According to Jinhua Company's budget materials, which country or countries will these 20,000 wafers be sold to?

Answer: This only a financial model estimating the amount of sales revenue for the 20,000 wafers once they are sold.

Question: In regards to wafer production, is there anything in Jinhua's budget materials about the ratio of the global market it aims to occupy?

Answer: No.

Question: Pertaining to the 400 million USD you mentioned earlier, as a financial consultant for the Jinhua Company, why would you not know how much in actual payment the Jinhua Company made to UMC?

Answer: Because I am a consultant, those from Jinhua's finance department would...when they encounters issues [text is cut-off at end of the page].

Question: Do you know who was behind negotiation of the *DRAM* technology transfer contract between UMC and the Jinhua Company?

Answer: I'm not clear about it.

Question: Do you know how the UMC researched and developed *DRAM* technology will be transferred from UMC to the Jinhua Company?

Answer: I'm not sure.

Question: On your mention of the 400 million USD, how much did the Jinhua Company actually paid UMC?

Answer: I know 400 million USD is paid in installments for the two generations of the *DRAM* technology. 200 million USD is paid for the first generation of developed *DRAM*, with the remaining 200 million USD to be paid for the second generation in accordance to what is specified in the contract at each completed phase of the technology. As far as I know, R&D for first generation of the *DRAM* technology is still in progress, as to how much the Jinhua Company has paid UMC, I'm not clear about it.

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Question: Once UMC completes a certain phase of its R&D on the technology, does it make an immediate transfer to the Jinhua Company?

Answer: I'm not clear about that.

Question: Do you know if UMC researched/developed its own *DRAM* technology, or is it originated from another company?

Answer: It should be self-researched/developed.

Question: Did CHEN Zhengkun mentioned to you how UMC will be transferring the technology to the Jinhua Company?

Answer: He only told me about cooperation of the *DRAM* technology, but I'm not clear about the details involved because I'm not an engineer.

Question: You just mentioned UMC's research/developed its own *DRAM* technology, how did you come to that conclusion?

Answer: Because while working as a UMC financial consultant, I saw they have a large number of technical engineers, which is why I think their *DRAM* is self-researched/developed.

Question: As far as you know, at what phase of the first generation *DRAM* product has the Jinhua Company achieved at this point?

Answer: As far as I know, constructions are still going on at the plant, and machines are being installed, I don't suppose there are products yet at this point.

Question: You mentioned earlier you were able to see product[s] from Jinhua Company's financial statements...

Answer: ....asked me; as to how much money Jinhua Company has paid UMC, Jinhua's accounting personnel would have a better understanding of the matter.

[TN: Translation for remaining part of the question and beginning part of the answer is incomplete due to cutoff of the source material at the end of the page.]

Question: From the information you have come across, is it possible for you to estimate how much money Jinhua Company has paid UMC?

Answer: If I'm able to look at Jinhua Company's monthly statement, I may have a way to calculate, based on the accumulative total, how much money Jinhua has given UMC; but my job is to go over the monthly financial statements, and not on working the accumulative totals for Jinhua.

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Question: On your earlier mention of the first generation *DRAM* technology, has UMC already transferred this technology to the Jinhua Company?

Answer: I'm not clear about that.

Question: You have just mentioned the Jinhua Company intends to reach a goal of producing 20,000 wafers by the latter half of next year, how much would that be in monetary terms if the 20,000 wafers were sold?

Answer: In setting the budget, the unit we use is based on quarters, which is why the goal is set for the latter half of next year. The reason for setting the quantity this low is because production has yet to take place. As for estimating the sales revenue for this 20,000 pieces of wafers, it must be calculated based on the market price, I don't have that information with me to conduct the calculation.

Question: Is CHEN Zhengkun currently working at UMC?

Answer: Not as far as I know.

Question: Is CHEN Zhengkun working at the Jinhua Company?

Answer: To my knowledge, following the episode when the US Department of Justice announced in a press conference that it would indict certain people at UMC, CHEN Zhengkun and I were asked by UMC to leave its Tainan's Science Park office, so CHEN should no longer be working at UMC. At this time, CHEN Zhengkun should still be working at the Jinhua Company, traveling between Taiwan and the PRC.

Question: Do you still work every day at UMC's Tainan Office?

Answer: There is no longer a need for me to go to UMC at this time, although I'm still a financial consultant for the Jinhua Company, I don't have a place to work. I would communicate with Jinhua from home using my e-mail at [lawrencechueh@gmail.com](mailto:lawrencechueh@gmail.com). In reality, after the US press conference, Jinhua no longer sends its budget information to me, even though it still paid my salary from last month. My thinking is that Jinhua would continue employing me until the end of this year.

Question: So the *gmail* account you mentioned does not contain any saved Jinhua Company information?

Answer: Correct, when I as a financial consultant under and working at UMC, UMC did provide me with a computer and an e-mail account, and Jinhua Company has been sending e-mails to the particular UMC account.

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Question: Do you have anything to add?

Answer: Actually, as a financial consultant for either UMC or the Jinhua Company, I did the same work, which was to review Jinhua Company's financial statements and assist them with financial budgets. I may still be able to find the financial information Jinhua provided in my home computer's *gmail* account from when I was working for UMC; the information was from around the end of 2017, because I was on vacation during that time frame, I forwarded UMC's e-mail to my *gmail* mailbox. I don't think Jinhua's financial information mentioned above has value left for reference.

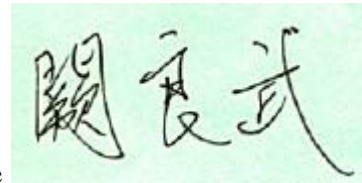
Question: What is the e-mail account that you used at UMC?

Answer: [lawrence\\_chueh@umc.com](mailto:lawrence_chueh@umc.com), this account should contain monthly financial statements and budget information sent by the Jinhua Company from June of 2017 to November of 2018.

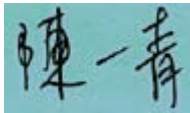
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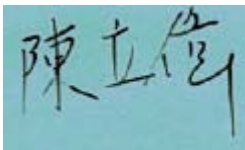
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Interviewee



Note-taker



Prosecuter